



Town of Salina
OFFICE OF THE TOWN SUPERVISOR

Colleen A. Gunnip
Town Supervisor

Douglas R. Wickman, P.E.
Staff Engineer

Nancy A. O'Neil
Secretary to the Supervisor

June 7, 2021

VIA ELECTRONIC MAIL Ludmer.Margo@epa.gov

With Full Reservation of Rights

Margo Ludmer, Assistant Regional Counsel
New York/ Caribbean Superfund Branch
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2

Re: EPA General Notice Letter
Lower Ley Creek Subsite

Dear Ms. Ludmer:

On behalf of the Town Board of the Town of Salina, I write in response to your general notice letter addressed to our outside counsel, Frank C. Pavia, Esq. of Harris Beach PLLC, regarding EPA's request as to whether the Town of Salina (the "Town") wishes to participate in negotiations regarding the remedy selected for the Lower Ley Creek Operable Unit ("OU") of the Onondaga Lake Superfund Site.

At this time, the Town is willing to participate in good faith negotiations regarding a potential participation in the implementation of the remedy for the OU. The Town has already participated, financially and otherwise, as a signatory to the Remedial Design Consent Decree for the OU. Nevertheless, this letter represents only a commitment by the Town to negotiate with EPA in good faith, and not a commitment to further participate as a party to the remedial action selected for the OU. The Town is willing to proceed with negotiations but cannot at this time make any further commitments. In light of the adverse impacts of the COVID pandemic on the limited financial resources of the Town, the Town Board must determine how best to proceed in this matter. As a result, this letter should not be viewed or accepted by EPA as a representation by the Town of any commitment beyond participating in negotiations regarding the remedial action.

The Town further understands (again, having participated in the remedial design process) that the remedial action incorporates the potential placement of certain excavated sediments and soils into the closed Salina landfill site. The Town has therefore retained an independent engineering consultant to investigate the technical feasibility of the landfill site accepting such materials, as well as assisting the Town in submitting a local disposal proposal to EPA and the existing and future PRPs.

If you have any questions, please do not hesitate to contact me by phone at (315)457-6661, or by email at supervisor@salina.ny.us.

Sincerely,



Colleen A. Gunnip
Supervisor
Town of Salina

cc: Frank C. Pavia, Esq.
Doug Wickman, P.E., Town Engineer
Town Board of the Town of Salina